

The below described is **SIGNED**.

Dated: December 2, 2013



**JOEL T. MARKER**  
U.S. Bankruptcy Judge



Arnold Richer - 2751  
Patrick F. Holden - 6247  
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Attorneys for World Botanical Gardens, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF UTAH**

In re:  WALTER L. WAGNER,  Debtor.	Bankruptcy Case No. 12-35494  Chapter 7  Honorable Joel T. Marker
WORLD BOTANICAL GARDENS, INC.,  Plaintiff,  v.  WALTER L. WAGNER,  Defendant.	<b>ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT</b>  Adversary Proceeding No. 13-02099  (Filed via ECF)

Plaintiff's Motion for Summary Judgment came before the above entitled Court on  
November 13, 2013 at 2:00 p.m. before the Honorable Joel T. Marker. Plaintiff was represented by

Patrick F. Holden. Defendant Walter L. Wagner appeared Pro Se on his own behalf.

The Court, having considered Plaintiff's Motion for Summary Judgment [Docket No. 52] and Plaintiff's Memorandum in Support of Motion for Summary Judgment [Docket No. 53] and having further considered the Defendant's Affidavit of Walter L. Wagner (Responding to September 24, 3013 Filing) [Docket No. 58] together with the oral arguments by the parties, and with the Court entering its findings of fact and conclusions of law on the record, and with good cause appearing:

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

Plaintiff's Motion for Summary Judgment [Docket No. 52] is granted.

DATED this \_\_\_\_ day of November, 2013.

BY THE COURT:

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HONORABLE JOEL T. MARKER  
U.S. Bankruptcy Court Judge

**COURT CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_\_ day of November, 2013, I caused a true and correct copy of the foregoing to be served upon the following parties by placing the same in the United States mail, postage prepaid, addressed as follows:

Walter L. Wagner, Pro Se  
532 North 700 East  
Payson, UT 84651

Arnold Richer  
Attorney for World Botanical Gardens, Inc.  
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